In the Claims

1. (Cancelled)

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Currently Amended) ~~The method as recited in Claim 1, wherein ascertaining whether the alternative path exists with better throughput for routing traffic than the first path, comprises~~ A method for performing congestion control in a connection-oriented packet switching network, the method comprising:

receiving notification of traffic congestion in a first path connecting a source node and a destination node;

determining whether an alternative path exists with an available cell rate that is greater than ~~a~~ an available cell rate for the first path, the available cell rate for the first path measured when the traffic congestion in the first path is eliminated through cell rate control; and

selecting the alternative path to route traffic between the source node and the destination node, if the alternative paths exists.

6. (Currently Amended) A method for performing congestion control in a node in a connection-oriented packet-switching network, the method comprising:

receiving notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (MCR) of R_{ACR} and a Peak Cell Rate (PCR) of $R_{PCR;}$

the node ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

the node selecting one of the M alternative paths to reroute the traffic between the source node and the destination node ~~the~~ if the M alternative paths exist.

7. (Original) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths which best satisfies the R_{ACR} in accordance with one or more rules, if there are more than one of the M alternative paths.

8. (Original) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths with a maximum amount unreserved resources to satisfy the R_{ACR}, if there is more than one of the M alternative paths.

9. (Original) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths with a least amount unreserved resources but enough unreserved resources to support the R_{ACR}, if there is more than one of the M alternative paths.

10. (Original) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting a first one of the M alternative paths found to satisfy the R_{ACR}, if there is more than one of the M alternative paths.

11. (Original) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M

alternative paths that satisfies the R_{ACR} according to one or more custom criteria, if there is more than one of the M alternative paths.

12. (Original) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths that satisfies the R_{ACR} according to one or more fuzzy rules, if there is more than one of the M alternative paths.

13. (Cancelled)

14. (Cancelled)

15. (Currently Amended) One or more computer-readable media having stored thereon computer executable instructions that, when executed by one or more processors, causes a computer to:
receive notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

ascertain whether M alternative paths exist with available resources able to satisfy the R_{PCR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

select one of the M alternative paths to reroute the traffic between the source node and the destination node ~~the~~ if the M alternative paths exist.

16. (Currently Amended) A method for performing congestion control in a node in a connection-oriented packet-switching network, the method comprising:

receiving notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

the node ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1;

the node selecting one of the M alternative paths to reroute the traffic between the source node and the destination node ~~the~~ if the M alternative paths exist;

the node ascertaining whether X alternative paths exist with available resources able to satisfy a reduced Available Cell Rate (ACR) of R_{ACR}, if M alternative paths do not exist, wherein R_{ACR} is less than the R_{ACR}, but is greater than a new ACR for the first path if rate control is instituted to eliminate the traffic congestion; and

the node selecting one of the X alternative paths to reroute the traffic between the source node and the destination node ~~the~~ if the X alternative paths exist.

17. (Currently Amended) A system, comprising:

means for receiving notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

means at the node for ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

means at the node for selecting one of the M alternative paths to reroute the traffic between the source node and the destination node ~~the~~ if the M alternative paths exist.

18. (Currently amended) The system as recited in Claim 17, further comprising means for ascertaining whether X alternative paths exist with available resources able to satisfy a reduced Available Cell Rate (ACR) of R_{ACR},

if M alternative paths do not exist, wherein R_{ACR} is less than the R_{ACR}, but is greater than a new ACR for the first path if rate control is instituted to eliminate the traffic congestion; and

means for selecting one of the X alternative paths to reroute the traffic between the source node and the destination node ~~the~~ if the X alternative paths exist.